



05-26-06

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/511,064-Conf. #8561
	Filing Date	April 20, 2005
	First Named Inventor	Scott Alan Jelinsky
	Art Unit	1639
	Examiner Name	J. S. Lundgren
Total Number of Pages in This Submission	Attorney Docket Number	00630/0204187-US0

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Amendment Transmittal
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	DARBY & DARBY P.C.		
Signature			
Printed name	Amy G. Klann		
Date	May 24, 2006	Reg. No.	48,155



Application No. (if known): 10/511,064

Attorney Docket No.: 00630/0204187-US0


Certificate of Express Mailing Under 37 CFR 1.10

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on May 24, 2006
Date



Signature

B.W. LEE

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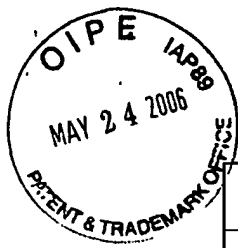
Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal (1 page)

Amendment Transmittal (1 page)

Amendment in Response to Non-Final Office Action (13 pages)

Return receipt postcard

**AMENDMENT TRANSMITTAL LETTER**Docket No.
00630/0204187-US0Application No.
10/511,064-Conf. #8561Filing Date
April 20, 2005Examiner
J. S. LundgrenArt Unit
1639

Applicant(s): Scott Alan Jelinsky et al.

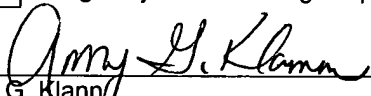
Invention: ESTROGEN RECEPTOR ALPHA REGULATED GENE EXPRESSION RELATED ASSAYS
AND THERAPEUTICS**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	120	- 120 =		x	
Independent Claims	6	- 6 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

- ☒ Large Entity ☐ Small Entity
- ☒ No additional fee is required for this amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 04-0100
as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.


Amy G. Klann
Attorney/Agent Reg. No.: 48,155

Dated: May 24, 2006

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Docket No.: 00630/0204187-US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Scott Alan Jelinsky et al.

Application No.: 10/511,064

Confirmation No.: 8561

Filed: April 20, 2005

Art Unit: 1639

For: ESTROGEN RECEPTOR ALPHA
REGULATED GENE EXPRESSION
RELATED ASSAYS AND THERAPEUTICS

Examiner: Jeffrey S. Lundgren

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated February 24, 2006, with a date for response of May 24, 2006, and pursuant to Rule 111 of the Rules of Practice, please enter the following amendments and consider the accompanying remarks.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 10 of this paper.

Applicants request reconsideration of the subject application in view of the following amendments and remarks.